Single Bench

(3)

(5)

CE/1662

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

(CHHATTISGARH)

WRIT PETITION (S) NO. 4510 OF 2006

PETITIONER : Bindeshwar Prasad Jaiswal, aged about 45 years, Son of Shri Shyam Prasad Jaiswal, Occupation-Service, Posted as Upper Division Teacher, Middle School Sonpur, Block Bhaiyathan, District Surguja (C.G.).

P.R. No. 4556/06
Presented by Shri Ghanshyam Singh
dated 21/8/2006

VERSUS

RESPONDENTS :

1. State of Chhattisgarh, Through: The Secretary, Department of Tribal Welfare, D.K.S. Bhawan, Raipur (C.G.).
2. The Commissioner, Tribal Development, Raipur (C.G.).
3. The Collector, Ambikapur, District Surguja (C.G.).
4. The Assistant Commissioner, Tribal Development, Ambikapur, District Surguja (C.G.).

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21/8/06
CLERK to A. G. BILASPUR

OATH COMMISSIONER
APARNA MALVIYA
2073/95
11/08/06
Chhattisgarh

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF WRIT IN THE NATURE OF MANDAMUS, CERTIORARI, PROHIBITION ETC.

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक ....W.P. 4510/06.... **सन् 200**

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आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

29.8.2006

Mr. Bipin Tiwari, Advocate for the petitioner.

Miss Deepali Pandey, Panel Lawyer for the State on advance copy.

Heard.

By this petition the petitioner has questioned the order dated 7.7.2006 (Annexure P-1) whereby he has been transferred from Middle School, Shyam Nagar, Pratappur to at the option of Block Development Education Officer, Premnagar.

The case of the petitioner is that the petitioner has been transferred showing him as Upper Division Teacher working in the Middle School, Shyamnagar, Pratapur, whereas, he is working as Upper Division Teacher in the Middle School Sonpur, Block Bhaiyathan, District Sarguja. Moreover, the wife of the petitioner is suffering from hear ailment.

In the circumstances, learned counsel for the petitioner submitted that the petitioner may be allowed to make a detailed representation to respondent No.3 and in turn, respondent No.3 be directed to decide the representation of the petitioner, to which learned Panel Lawyer for the State has no objection.

Having heard learned counsel for the parties and having regard to the facts and circumstances of the case, without expressing any opinion on the merit of the case, the petitioner is allowed to make a detailed representation raising all his grievances to respondent No.3 within 10 days from today along with copy of this petition & annexures and in turn, respondent No.3 to decide the representation of the petitioner within a period of 30 days from the date of receipt of representation in accordance with law after considering all the points raised by the petitioner.

In the meantime, till the decision of the representation, the effect and operation of impugned order dated 7.7.2006 (Annexure P-1) in respect of the petitioner herein shall remained stayed.

With the direction aforesaid, the petition stands disposed of.

Consequently, M.(W.)P. No.4490/06 also stands disposed of.

Certified copy as per rules.

Sd/-
L.C. Bhadoo
Judge

Roshan/-